IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 775 OF 2006

IN

WRIT PETITION NO. 436 OF 1994

SALGAONKAR MINING INDUSTRIES LIMITED, ...Applicant

Versus

BOARD OF TRUSTEES OF THE PORT OF MORMUGAO AND 2 ORS., ...Respondents

Mr. A.N.S. Nadkarni with Mr. D. Pangam for the Applicant.

Mr. V.B. Nadkarni, Sr. Advocate with Mr. Y.V. Nadkarnifor Respondent No.1.

Coram:- J. N. PATEL &
N. A. BRITTO, JJ.

Date:- 30th November, 2006

P.C.:

This is an application filed by the applicants M/s Salgaonkar Mining Industries Limited, seeking extension of time to remove the wreckage of " M.V. Sanjeeevani " for the reasons stated in the application.

Our Order dated 17th July, 2006 speaks for itself and the Applicant does not deserve any extension of time and the consequences shall follow in case the Applicant does not comply with the terms and conditions incorporated in the Order dated 17th July, 2006.

The application is rejected.

The Applicant may approach the Port Trust to complete the work as

their Agent after expiry of the period given by this Court and the Port Trust would be at liberty to permit the Applicant to remove part of the wreckage which is left to be removed as their Agent, if in their opinion, it would facilitate the removal of the total wreckage. This is without prejudice to their rights to invoke the Bank Guarantee as per our Order.

J. N. PATEL, J.

N. A. BRITTO, J.

sl.